

Exhibit No. 3Date 2/16/09Bill No. SB 367**SB 367 – Electronic Registration and Voting by Absent Military and Overseas Electors****Senator Bradley Hamlett, Sponsor****Testimony in Support by Lisa Kimmet, office of Montana Secretary of State**

Mister Chair, members of the Committee, my name is Lisa Kimmet, I serve as the Elections Deputy for Secretary of State Linda McCulloch.

I would like to thank Senator Hamlett for his work on this bill that will bring greater access to electronic registration and voting to Montana's absent military and overseas voters.

Montana is one of only 17 states that currently allows absent military voters to receive a ballot electronically, and one of only 5 states that allows for transmission of the voted ballot electronically. This service is critical to ensure that Montana absent military and overseas citizens can cast their vote and have that vote counted. Montana Clerks and Records and Election Administrators work diligently to make voting work for military voters, and constantly go the extra mile to make sure each voter receives a ballot in time to get it voted and returned. Without the electronic provision already in Montana law, this effort would be impossible.

This bill will also allow military and overseas electors to late-register. Under current law absent military and overseas electors must register at least 30 days before the election, unless they are registering and voting the Federal Write-in Absentee Ballot. The Secretary of State supports late registration for all voters, including this category of voter that has been previously left out of the late registration provisions in Montana law.

The Secretary of State supports any effort to allow expanded and secure access to the voting process for those serving overseas, and supports Senate Bill 367, with amendments that would incorporate the current process for ensuring the secrecy of electronic voting process; that would allow for receipt of the transmitted electronic ballot by the election office until 5:00 p.m. the day following the election, and allow those ballots to be counted with provisional ballots at 3:00 p.m. the Monday following the election; and that would allow for an effective date of July 1, 2011, giving time between passage of the bill and the next presidential election for counties that do not already provide this service, to take the necessary steps to implement the service.